

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
DAVID FINKELSTEIN, *individually and on behalf of all* :
others similarly situated, :

Plaintiffs, :

-v- :

ANDREW FOX et al., :

Defendants. :
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24-CV-4056 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

In light of Defendants' new motion to dismiss, *see* Docket No. 125, Defendants' earlier motion to dismiss filed at Docket No. 100 is hereby **DENIED** as moot. Plaintiffs' opposition to the new motion to dismiss is due by **August 7, 2025**. Defendants' reply, if any, is due by **September 8, 2025**.

The Clerk of Court is directed to terminate Docket No. 100.

SO ORDERED.

Dated: June 24, 2025
New York, New York



JESSE M. FURMAN
United States District Judge